

(1)
90-595

No. _____

Supreme Court, U.S.

FILED

OCT 9 1990

JOSEPH F. SPANIOL, JR.
CLERK

**IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM 1990**

OSCAR WALKER, *Petitioner*

v.

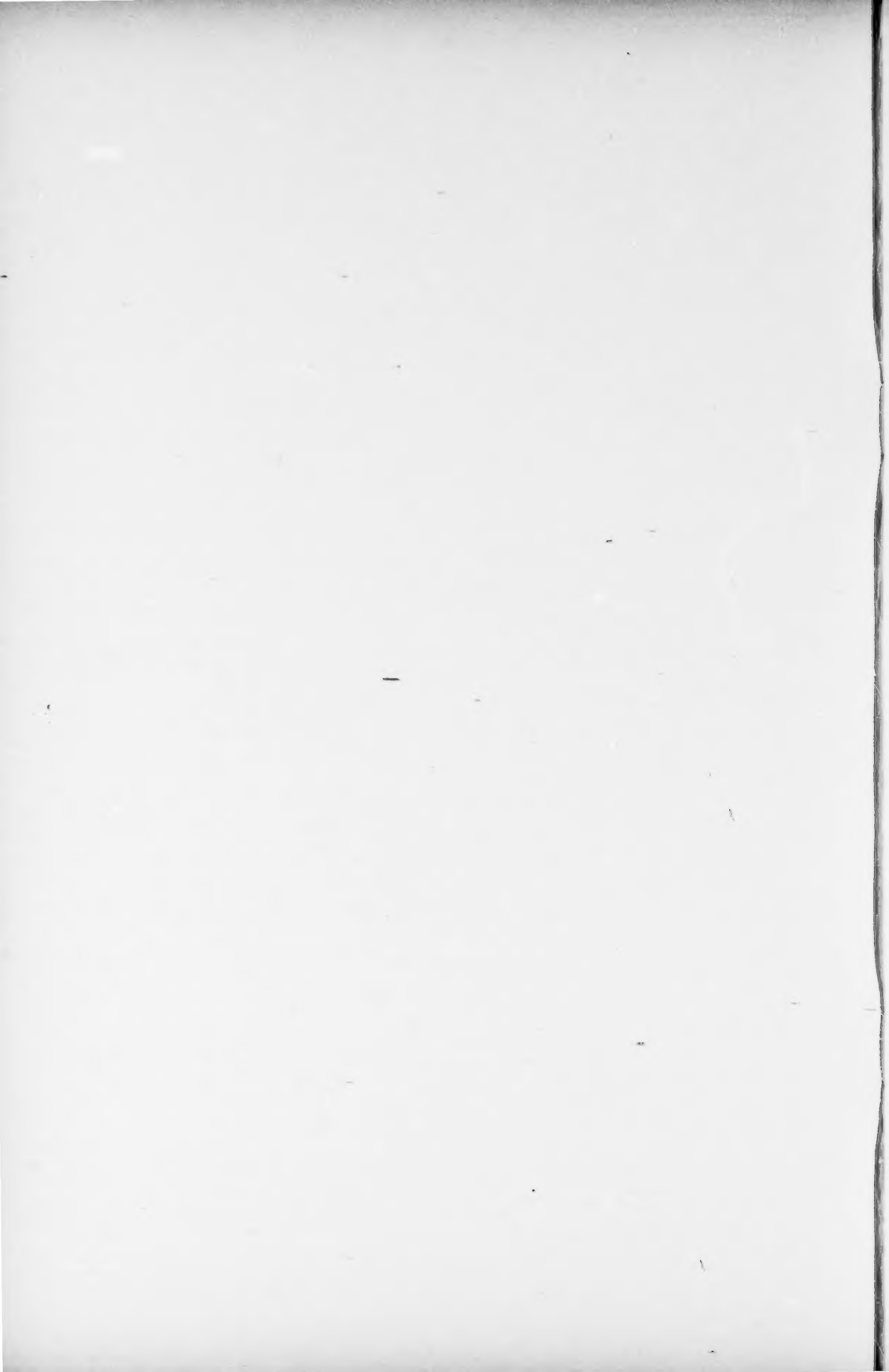
PRISCILLA M. SAWYER, *Respondent*

**PETITION FOR A WRIT OF CERTIORARI
TO THE MAINE SUPREME JUDICIAL COURT**

OSCAR WALKER
Petitioner, Pro Se.

47 Elizabeth Avenue
Bangor, Maine 04401
(207) 947-8105

September 28, 1990



QUESTIONS PRESENTED

1. Whether courtroom statements during progress of trial violates due process and denial of fair trial?
2. Whether a lower court may overlook or disregard decisions of this Court?
3. Whether construction and application of Rule 609(a) of The Federal Rules of Evidence permits impeachment by evidence prior to conviction?
4. Whether evidence shall be taken orally in open court with official record kept within the United States or any State?
5. Whether the construction and application of Rule 608(b) of The Federal Rules of Evidence deals with specific conduct or attach credibility?
6. What does standing employ before this Court?
7. Whether mootness is in itself a question of Federal constitutional law?
8. Whether in all trials the testimony of witnesses shall be taken orally in open Court?
9. Whether proof of official record shall be kept within the United States or any state, when admissable for any purpose?

LIST OF PARTIES

The parties to the proceedings below were the petitioner, Oscar Walker, pro se, and the respondent, Priscilla M. Sawyer.

TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED	i
LIST OF PARTIES	ii
TABLE OF CONTENTS	iii
TABLE OF AUTHORITIES	iv
CASES	iv
OPINIONS BELOW	v
JURISDICTION	vi
STATEMENT OF THE CASE	1
REASONS FOR GRANTING CERTIORARI	6
CONCLUSION	6

TABLE OF AUTHORITIES

	Page
THE UNITED STATES CONSTITUTION . . .	Passim
STATUTES	Passim
CASES	
Connecticut Mutual Life Ins. Co. v. Hillmon	
188 U.S. 208; 23 S Ct. 294	
47 L. Ed. 446	2
Linef v. Jafeo, Inc.	
375 U.S. 301-304(1964)	2, 6
Dufunis v. Odecaard	
416 U.S. 312-319(1974)	
419 U.S. 894(1974)	2
Preiser v. Newkirk	
419 U.S. 894(1974)	
422 U.S. 395(1975)	2
Landis v. North American Co. U.S. 254-255	
299 U.S. 248; 254-55(1936)	
57 S. Ct. 163-166; 81 L. Ed. 153(1936)	3
Santissa Trinidad and the St. Andre	
7 Wheat 283(1822)	4
Ashe v. United States as rel Vallota	
270 U.S. 424; 46 S. Ct. 333; L. Ed. 662	5
Hoag v. New Jersey	
356 U.S. 464; 76 S. Ct. 829	
(annotated 2 L. 2nc 913)	5

OPINIONS BELOW

Judgment and order of the Maine Supreme Judicial Court, dated July 9, 1990; appendix hereto, P. 1(a).

Judgment and order on jury verdict; dated March 31, 1989; appendix hereto P. 2(a).

Judgment and order, Maine Supreme Judicial Court; dated April 3, 1990; appendix hereto, P. 3(a).

Order, Superior Court, Penobscot County, State of Maine; entry of judgment; dated August 31, 1990; appendix hereto, P. 3(a) 3(b).

Order, Superior Court, Penobscot County, State of Maine; dated May 23, 1989; appendix hereto P. 4(a).

Order, Maine Supreme Judicial Court; dated December 19, 1989; appendix hereto, P. 5(a).

Order and directive from The Maine Supreme Court; dated September 28, 1989; appendix 6(a).

Order, Superior Court; dated August 8, 1989; appendix hereto P. 7(a).

Order, Maine Supreme Judicial Court, dated January 25, 1990; appendix hereto, P. 8(a).

Order, Superior Court, Penobscot County, State of Maine; dated August 31, 1990; appendix hereto, P. 9(a).

JURISDICTION

Invoking jurisdiction under 28 U.S.C. Sec. 28 1257;
Maine Supreme Judicial Court entered judgment in these
proceedings on July 9, 1990.

**IN THE SUPREME COURT OF THE
UNITED STATES**

October Term 1990

OSCAR WALKER, *Petitioner*

v

PRISCILLA M. SAWYER, *Respondent*

**PETITION FOR A WRIT OF CERTIORARI
TO THE MAINE SUPREME JUDICIAL COURT
OF MAINE**

Petitioner, Oscar Walker, respectfully prays that a writ of certiorari issue to review the judgment and order of the Maine Supreme Judicial Court in the above entitled proceedings, dated July 9, 1990.

STATEMENT OF CASE

This case is allegation for prejudgment interest.

Testimony of all witnesses was taken in open court. No written testimony has been delivered by counsel, for the respondent, to the petitioner, or to court, up to and including date of the filing of this writ. Counsel for respondent was ordered to deliver a complete record, through and by means of a directive, dated, September 28, 1990; appendix P. 6(a).

The records of these proceedings is not complete, for failure on part of counsel to deliver a complete file of all records, as directed, including transcript of the evidence, appendix 6(a).

During time and progress of trial of these proceedings, in the presence of the jury, counsel for respondent called Oscar Walker to the witness stand, without prior notice to testify.

For such failure, as mentioned, the petitioner became confused and was greatly prejudiced, as to his substantial constitutional rights under the Constitution of the United States, with particular reference to the Fourteenth Amendment of the Constitution. The petitioner, then and there was denied a fair trial. (Passim)

Following the taking of the required oath under law. The counsel for the respondent called Oscar Walker, the petitioner, "a liar," or facsimile statement to the effect "you are a liar," "then you lied," "you are lying." Counsel for respondent has not denied such remarks, then and there, committed by him before the jury, while in progress, in open court. (no recorded testimony)

As a general rule when a party offers a witness he thereby represents him as a worthy witness. *Connecticut Mutual Life Insurance Co., v. Hillmon*, 188 U.S. 208; 23 S.Ct. 294 47 L.Ed. 446.

Motion for reconsideration (review), dated June 26, 1990 No. Penob; Rule 76a(b) (1) Maine Rules of Civil procedure, was filed before The Maine Supreme Judicial Court; Appendix P. 10a; The Maine Supreme Judicial Court, the highest court in the State of Maine, denied motion for rehearing, dated July 9, 1990. Appendix P 10a.

Motion for application for stay of mandate, dated July 26, 1990; Penobscot No. 89-410 was filed before the Maine Supreme Judicial Court; Appendix 11a. Maine Supreme Judicial Court denied application for stay of mandate, as being moot; dated July 9, 1990. Appendix P. 11a. *Linef v. Jafeo, Inc.*, 375 U.S. (301-304) (1964), *Dufunis v. Odecaard*, 416 U.S. 312, 319 (1974).

One aspect of these proceedings in controversy embodied in Article 111 of the Constitution may be raised at the Supreme Court level. (Passim), *Preiser v. Newkirk*, 419 U.S. 894 (1974) 422 U.S. 395 (1975).

"The rule in Federal cases is that the live controversy must be extant at all levels of appellate or certiorari review, not merely at time the complaint is filed."

What standing has the respondent in this Court? (question 6). Under the Federal Rules of Evidence 608(b) and 609(a), the petitioner has been deprived of his substantial constitutional rights by counsel for the respondent, by degrading the petitioner, Oscar Walker, while on the witness stand, testifying (*supra*) before the jury, in session (*supra*).

New matters were raised in petitioner's original brief, before the Maine Supreme Judicial Court. The respondent, thru counsel, failed to deny in writing, or otherwise, or make answer to such matters (new matters). It was his duty.

The Superior Court, in and for the County of Penobscot, State of Maine was appraised, by the petitioner of the Rules of Federal Procedure, being 608(b) and 609(a).

The Maine Supreme Judicial Court forwarded its decision, in these proceedings, to the Superior Court on April 3, 1990, in question, for determination of prejudgment interest; and such delay for nearly 85 days by the Superior Court to make a decision thereon, caused the petitioner great worry and concern; the same worked the "death toll" against the petitioner (for purposes of review), Appendix 3a.

The Superior Court determined prejudgment interest on August 31, 1990, Appendix 9a.

"The power to stay proceedings is incidental to the power inherent in every court to control the disposition of

the causes on its docket with economy and of time and effort for itself, for counsel and for the litigants. How this can be best done calls for the exercise of judgment, with much weight on competing interests and maintaining an even balance." *Landis v. North American Co.*, 299 U.S. 248; 254-55; 57 SC163-166 81 L.Ed. 163 (1936).

Federal Rules of Evidence have been abrogated, with respect to Rule 439(b) and succeeded by Federal Rule, Sec. 611. This makes the interrogating witnesses and presenting evidence effective and presentation effective of ascertainment of truth.

The wisdom under Rule 611 has been greatly appraised by The Federal Court system.

In the present proceedings, before us, counsel for respondent failed to comply with Federal Rule of Evidence, under Sec. 611. Counsel for respondent failed to ask the petitioner any leading questions, but condemned his witness, by him calling him to the witness stand to testify, Oscar Walker, being the witness and petitioner, with abusive language; all such remarks made in the English language; and without doubt effected the minds of the jury; thus, enhanced the awards for the benefit of the respondent.

Our Courts do not stand passively by in such cases, which might probably be classified as contempt by counsel, for the respondent, in these proceedings.

Nothing could be more argumentative, or argumentative, than to comment that The Maine Supreme Judicial Court overlooked or disregarded decisions of this Court.

What a serious disadvantage both Courts must endure with no recorded testimony, to verify or substantiate allegations of petitioner's rights under the Constitution of the United States, supporting his assertions for a fair trial, with prejudice toward none. Process of law by procedural control, in these proceedings were lacking.

In a foreboding and interesting case, captioned excerpt, *Santissima Trinidad and the St. Andre* (1822) more than 168 years ago at the February Term of the Supreme Court of the United States; excerpt reads thus: "...and courts of justice, under the circumstances are bound upon principles of law and morality to apply the maxim: "Falfus in uno.. Falfus in omnibus""that ground of judicial belief be left when a party has shown such gross insensibility.. the Courts of justice, under such circumstances are bound upon principles of law and morality to apply..," 7 Wheat 283.

The lower court neglected or overlooked the decisions of this Court. The lower court was well informed of the decisions of this Court.

Omission of the recorded testimony which was lacking or wanting, appears to have been to the advantage of the respondent.

Cited cases by the petitioner present a solid foundation in that the petitioner failed to have a fair trial, guaranteed under the Bill of Rights, as provided under Article III, of the Constitution of the United States. (Passim)

A written request has been entered in the Superior Court to stay its judgment of prejudgment interest, pending development of petitioner's writ of certiorari.

What standing does the respondent have before this Court?

Petitioner did not receive a fair trial.

Is this case "dead" without having in hand the testimony in these proceedings?

Under the constitutional law, the following designated cases captioned: *Ashe v. United States as rel Vallota*, 270 U.S. 424; 46 S.Ct. 333; 70 L.Ed. 662.. This case is analyzed, by case, as to remarks made in open court, which this Court has supervisory control.

The pattern of due process must be picked out in the facts and circumstances of each case. *Hoag v. New Jersey*, 356 U.S. 464; 76 S.Ct. 829 (annotated 2 L.Ed. 2nc 913).

Supreme Court views as to what courtroom statements made by prosecuting attorney during trial violates due process of law and denial of fair trial. 40 L.Ed. 2nd. 886.

Diversified constitutional questions are raised hereto, under the Fourteenth Amendment of the Constitution of the United States and for want of due process of law, with certiorari rights provided. (Passim).

REASONS FOR GRANTING CERTIORARI

Under "Due Process and Individual Rights," Section 3 thereof.

"Due process is a guarantee of how the government must act, not what it must do. It is difficult to overestimate the importance of procedure "noted Justice William O. Douglas," "pointing out that most of the provisions of the Bill of Rights were procedural." It is procedure he wrote, "that spells much of the difference between law and rule of whim and such. Steadfast adherence to strict procedure safeguards is our main assurance that there will be equal justice under law."

The Supreme Court is not bound by State court ruling that a case has or has not been declared moot. The question of mootness is in itself a question of Federal Constitutional law, *Linef v. Jafeo*, (supra).

Due process of law and procedural control by the trial court, in this case were denied the petitioner of his rights to a fair trial. The court either neglected or overlooked the steadfast adherence rule, between strict procedural safeguards, with the assurance that there would be equal justice under law. The trial court failed to become steadfast in these proceedings.

Is it without argument that these proceedings lack recorded testimony of the entire trial, as to evidence from all the witnesses?

Was such omission in these proceedings due to unintentional contempt of Court, or selfish denial of equal justice under law, during trial thereof, in the Superior Court, the Trial Court, Penobscot County, State of Maine.

CONCLUSION

For the foregoing reasons, it is requested that this petition for a writ of certiorari be granted.

Respectfully submitted,
OSCAR WALKER, pro se
47 Elizabeth Avenue
Bangor, Maine 04401

September 28, 1990

1a

STATE OF MAINE
PENOBSCOT, ss

SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT
Law Docket No. Pen -89-410

PRISCILLA A. SAWYER)

vs.

) ORDER
)

OSCAR WALKER)

Upon appellee's motion for reconsideration and application for stay of mandate,

It is ORDERED that the motion be, and it hereby is, DENIED.

Whereas the mandate was issued on April 23, 1990, the application for stay is moot.

Dated: July 9, 1990

For the Court,

/s/ Robert L. Browne

Chief Justice

RECEIVED
July 9 1990
SUPREME JUDICIAL COURT

STATE OF MAINE
PENOBSCOT, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-84-463 and
CV-84-499

FILED AND ENTERED
DATE: 3-31-89
ATTEST: Margaret Gardner
CLERK

.....
PRISCILLA M. SAWYER
Plaintiff

vs.

OSCAR WALKER
Defendant
.....

JUDGMENT BY THE
COURT ON JURY
VERDICT

The jury having returned special verdict with interrogatories and finding that the Defendant Oscar Walker did employ abuse of process and the abuse of process to be the proximate cause of Plaintiff Priscilla Sawyer damages and awards damages in the amount of Ten Thousand Dollars (\$10,000.00)

The jury further finds that Defendant Oscar Walker was malicious in using abuse of process and awards punitive damages in the amount of Ten Thousand Dollars (\$10,000.00)

The jury further finds that Defendant Oscar Walker was negligent in representation of Plaintiff Priscilla Sawyer and awards damages in the amount of Seven Thousand Three Hundred Sixty-six Dollars and no cents (\$7,366.00)

Count I and IV of Plaintiff's Complaint were dismissed by the Court pursuant to a Motion to Dismiss on March 22, 1989.

The Court having entertained oral motions by Defendant for Judgment N.O.V. to set aside the verdict as to the negligence claim. Motion Denied. Oral Motion for Judgment N.O.V. on the abuse of process claim which was denied but the court ordered a remittitur and orders the Defendant to remit all of the damages in excess of \$1.00 or a New Trial.

IT IS HEREBY ORDERED that Judgment be entered for the Plaintiff Priscilla Sawyer, against the Defendant Oscar Walker, on Counts II and III of Plaintiff's Complaint in the total amount of \$7,367.00 compensatory damages with interest and costs and \$10,000.00 in punitive damages.

IT IS FURTHER ORDERED that Count I and IV of Plaintiff's Complaint be dismissed.

IT IS FURTHER ORDERED that the Counterclaim of Oscar Walker against Priscilla Sawyer be dismissed.

Mar. 31, 1989

Date

/s/ Robert L. Browne

Robert L. Browne
Active Retired Justice
Superior Court

A TRUE COPY
ATTEST:

CLERK

MAINE SUPREME
JUDICIAL COURT

Reporter of Decisions
Decision No. 5415
Law Docket No. PEN-89-410

PRISCILLA M. SAWYER

v.

OSCAR WALKER

Submitted on briefs March 21, 1990

Decided April 3, 1990

Before McKUSICK, C.J., and GLASSMAN, CLIFFORD, HORNBY and COLLINS, JJ.

COLLINS, J.

Plaintiff, Priscilla M. Sawyer, appeals the Superior Court's (Penobscot County, *Browne, A.R.J.*) order on costs arising from her successful civil action against defendant, Oscar Walker. Plaintiff contends that the Superior Court erred by refusing to allow her to recover any prejudgment interest to which she claims she is entitled under 14 M.R.S.A. §1602(I) (Pamph. 1989). We agree with plaintiff and modify the order accordingly.

On October 5, 1984, plaintiff filed a complaint in the Superior Court against defendant. On March 24, 1989, the jury awarded plaintiff \$7,367 compensatory damages with interest. In her motion and bill for costs, plaintiff requested prejudgment interest "from the date the complaint was filed until the date the order of judgment is issued." The Superior Court denied plaintiff's request for any prejudgment interest on the ground that nonprevailing party petitions and shows good cause that it should be waived altogether. The plaintiff admits the occurrence of the first exception, and it is undisputed that the second never occurred. The statutory language does not indicate that judicial discretion in regard to prejudgment interest might operate for any other reason than where the nonprevailing party shows good cause

why the interest should be waived. The proper mechanism to address to Superior Court's concerns with plaintiffs request is provided by 14 M.R.S.A. § 1502-D (Pamph. 1989), which authorizes an evidentiary hearing on the reasonableness of any challenged costs or interest requested by the prevailing party pursuant to sections 1502-B or 1602.

Accordingly, the Superior Court did not have the authority to completely deny plaintiff's request for pre-judgment interest.

The entry is:

Order on costs modified in accordance with opinion herein to include an award of prejudgment interest. Remanded to Superior Court with instruction to determine amount of prejudgment interest to which plaintiff is entitled.

All concurring.

Attorneys for the Plaintiff
Leonard I. Sharon, Esq.
Justin W. Leary, Esq.
103 Park St.
P.O. Box 7206
Lewiston, Maine 04243

For the Defendant:
Oscar Walker, Esq.
47 Elizabeth Ave.
Bangor, Maine 04401

NOTICE: Readers are requested to notify the Reporter of Decisions, Box 368, Portland, Maine 04112, of any typographical or other formal errors in this opinion.

5(a) (b)

STATE OF MAINE
PENOBSCOT, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO.: CV-84-499 and
CV-84-463

PRISCILLA SAWYER)

Plaintiff)

vs.)

ORDER

OSCAR WALKER)

Defendant)

FILED AND ENTERED

DATE 8/31/90

ATTEST: Margaret Gardner
CLERK

After review of the Plaintiff's Motion for Determination of Prejudgment Interest, it is hereby ORDERED, ADJUDGED and DECREED that the Defendant pay to the Plaintiff the sum of Two Thousand Nine Hundred Thirty Dollars and Eighty Cents (\$2,930.80) in prejudgment interest in the above matter, same to be added to the Judgment of this Court dated March 31, 1989. Execution to issue forthwith.

The Clerk is hereby directed to incorporate this Order by reference in the docket for this case.

Dated: Aug. 31, 1990

/s/ Robert L. Browne

Justice, Superior Court

STATE OF MAINE
Penobscot, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO: CV-84-463
CV-84-499

PRISCILLA SAWYER)
Plaintiff)
vs.) ORDER
OSCAR WALKER)
Defendant)

On Plaintiff's Motion for Costs, and after hearing, the following costs are allowed:

1. Plaintiff's pleadings	\$ 5.00
2.B. Deposition of Stephen Emery	440.10
4. Travel Expenses	<u>7.00</u>
TOTAL	\$452.10

The Plaintiff in her request for before judgment interest stated that for some periods during the pendency of their action she would not be entitled to interest. She, however, requested interest for the full period without attempting to identify the amount to which she might have been entitled.

Her request is therefore denied.

DATE May 23, 1989

/s/ Robert L. Browne

ROBERT L. BROWNE
Active Retired Justice
Superior Court

FILED AND ENTERED
DATE 5/23/89
ATTEST: Margaret Gardner
CLERK

A TRUE COPY
ATTEST: Margaret Gardner
CLERK

STATE OF MAINE SUPREME JUDICIAL COURT
PENOBSCOT, ss SITTING AS THE LAW COURT
Law Docket No. Pen-89-410

PRISCILLA M. SAWYER)
vs.) ORDER
OSCAR WALKER)

Pursuant to M.R.Civ.P. 75C(f), it is ORDERED that the above named appeal be submitted on briefs without oral argument at the March 1990 session of the Law Court.

Dated: December 19, 1989

For the Court

/s/ Vincent L. McKusick
Chief Justice

DEC 19 1989
SUPREME JUDICIAL COURT

STATE OF MAINE
SUPREME JUDICIAL COURT
P.O. BOX 368
PORTLAND, MAINE 04112

James C. Chute
Clerk of the Law Court
Reporter of Decisions
Executive Clerk of the
Supreme Judicial Court

Area Code 207
Telephone
879-4765

September 28, 1989

Leonard I. Sharon, Esq.
103 Park St.
P.O. Box 7206
Lewiston, Maine 04243

Oscar Walker
47 Elizabeth Ave.
Bangor, Maine 04401

RE: Priscilla M. Sawyer vs. Oscar Walker
Law Docket No. PEN-89-410

Dear Counsel:

The referenced matter was docketed in the Law Court on September 28, 1989, M. R. Civ.P. 73(f). The docket number assigned to this case is PEN-89-410 and it must appear on all documents hereafter filed.

The clerk must transmit the original record by September 11, 1989, M.R.Civ.P. 74A(a), and the reporter must file the transcript, if any, by October 2, 1989, M.R.Civ. P. 74A(b). The record on appeal will be complete upon the filing of both record and transcript.

M.R.Civ.P. 74A(b) requires that transcripts be ordered, the Law Court and appellee informed of that order, and financial arrangements with the court reporter be made within 10 days of the filing of the notice of appeal. Failure

9a

to comply with M.R.Civ.P. 74(b) will subject the appeal to dismissal for want of prosecution.

Very truly yours,

/s/ James C. Chute

James C. Chute

Clerk of the Law Court

JCC/gp

cc: Clerk Penobscot

Court reporter Wendy Devoe

STATE OF MAINE
PENOBSCOT, ss:

SUPERIOR COURT
Civil Action
Docket Nos. CV-84-463 and
CV-84-499

FILED AND ENTERED

DATE: 8-8-89

ATTEST: Margaret Gardner
CLERK

.....
PRISCILLA M. SAWYER

Plaintiff

v.

ORDER

OSCAR WALKER

Defendant
.....

In response to plaintiff's request for findings of fact and conclusions of law following the court's order on costs, it states as follows:

In issuing its order relative to costs allowed by this court, it was found that the plaintiff, in her requests for before judgment interest, stated that for some periods of time during the pendency of the action, which was filed in June of 1986, she would not be entitled to interest. In spite of her admission, she asked for interest for the entire period.

This court will not issue an order it knows to be wrong, even if opposing counsel agrees. In this case, it was the responsibility of plaintiff's counsel to prove to the court for what period or periods it was entitled to prejudgment interest, and having failed, plaintiff's request was denied. There is nothing ambiguous or arbitrary about the court's decision. It is not the responsibility of the court to do

11a

plaintiff's counsel's work and go through this rather substantial file to determine for what periods of time the plaintiff might have been entitled to prejudgment interest.

DATED: August 8, 1989

/s/ Robert L. Browne

Robert L. Browne, Active Retired
Justice, Superior Court

A TRUE COPY

ATTEST: Margaret Gardner
Clerk

12a

STATE OF MAINE
PENOBSCOT, ss

SUPREME JUCICIAL COURT
SITTING AS THE LAW COURT
Law Docket No. Pen-89-410

PRISCILLA M. SAWYER)

vs.)

OSCAR WALKER)

ORDER

Upon appellant's request for oral argument,

It is ORDERED that the request be, and it hereby is,
DENIED.

Dated: January 25, 1990

For the Court,

/s/ Vincent L. McKusick

Chief Justice

RECEIVED

Jan 26 1990

ME JUDICIAL COURT

13a

State of Maine

PENOBSCOT, ss

SUPERIOR COURT
CV-84-463
CV-84-499

PRISCILLA M. SAWYER)
Plaintiff)

vs.

) NOTICE OF ENTRY
) OF JUDGMENT

OSCAR WALKER)
Defendant)

You are hereby notified that on August 31, 1990 judgment was entered on the docket in the above matter. The following judgment was entered:

Defendant to pay to the Plaintiff the sum of Two Thousand Nine Hundred Thirty Dollars and Eighty Cents (\$2,930.80) in prejudgment interest, same to be added to the Judgment of this Court dated March 31, 1989. Execution to issue forthwith.

Dated: 8/31/90

/s/ Margaret Gardner
Clerk of the Superior Court

CV-14, rev. 12/79

14a

46 Elizabeth Avenue
Bangor, Maine 04401

Telephone: 947-8105

June 26, 1990

James C. Chute
Clerk of the Law Court
P.O. Box 368
Portland, ME 041102

Re: Motion for Reconsideration
No. Penob No. 89-410
Rule 76A (b) (1)
(and)
Rule 76A (b) (c)
Priscilla M. Sawyer, Plaintiff
vs.
Oscar Walker, Defendant

Dear Mr. Chute:

Enclosed are the original and seven copies of the above
Application and Stay of Mandate.

Sincerely,

/s/ Oscar Walker

Oscar Walker

OW:jgc

15a

46 Elizabeth Avenue
Bangor, Maine 04401
Telephone: 947-8105
June 26, 1990

James C. Chute
Clerk of the Law Court
P.O. Box 368
Portland, ME 04112

Re: Application for Stay of
Mandate
Penobscot No 89-410
Priscilla M. Sawyer, Plaintiff
vs.
Oscar Walker, Defendant

Dear Mr. Chute:

Enclosed are the original and seven copies of the above
application and Stay of Mandate.

Sincerely,

/s/ Oscar Walker

Oscar Walker

OW:jgc